

## UNITED STATES DISTRICT COURT

for the

DEC 12 2014

Southern District of Texas

David J. Bradley, Clerk

United States of America

)

v.

)

Eva Magaly BARRON

)

YOB: 1990

)

COB: United States

)

Case No. M-14-Z350-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 11, 2014 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

21 U.S.C. 841

Knowingly and Intentionally Possess With Intent to Distribute a Controlled Substance/ approximately 17.22 Kgs of Cocaine, a Schedule II Controlled Substance under the Controlled Substance Act.

21 U.S.C. 952

Importation of a Controlled Substance/ approximately 17.22 Kgs of Cocaine, a Schedule II Controlled Substance under the Controlled Substance Act.

This criminal complaint is based on these facts:

On December 11, 2014, Homeland Security Investigations, McAllen, Texas (HSI McAllen) responded to the Hidalgo, Texas Port of Entry and initiated a narcotics investigation after U.S. Customs and Border Protection Officers seized approximately 17.22 Kgs of a white powdery substance, which field tested positive for the properties of Cocaine.

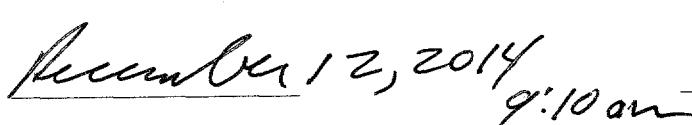
 Continued on the attached sheet.Approved by: Leo J. Leo II  
AUSA  
Complainant's signature

J. Shaun Kicklighter, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

  
December 12, 2014  
9:10 am  
Peter E. Ormsby  
Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

**ATTACHMENT A**

On December 11, 2014 at about 21:17 hours, U.S. Customs and Border Protection Officer (CBPO) Juan Sifuentes, assigned to the Hidalgo, Texas Port of Entry (POE), encountered Eva BARRON, a U.S. Citizen, as she applied for admission into the U.S while driving a silver Honda Accord. CBPO Sifuentes obtained a negative oral declaration from BARRON for fruits, vegetables, drugs, alcohol, tobacco or an excess amount of \$10,000 dollars. BARRON stated she resides in Alamo, Texas, and she had been in Mexico for approximately a week to celebrate her birthday. CBPO Sifuentes noted the vehicle was very clean, and BARRON did not possess any luggage to suggest she had stayed for a long period of time. Based on those observations and inconsistencies in BARRON's story, CBPO Sifuentes referred her vehicle to secondary inspection.

In secondary, a VACIS scan revealed the presence of an anomaly in the rear seat area of the vehicle, and a subsequent canine inspection resulted in a positive alert for the presence of the odor of narcotics. The vehicle was then drilled in the area of the anomaly, and a white powdery substance was extracted. A field test conducted on the substance resulted in a positive test for the properties of cocaine.

*22:25 JSK*

At approximately 12:25 hours, HSI Special Agent (SA) J.S. Kicklighter was contacted by CBPO Norma Zarazua and advised of the aforementioned facts. SA Kicklighter responded to the Hidalgo POE to assist in the investigation. Upon arriving at the POE and obtaining the facts known at the time, SA Kicklighter interviewed BARRON with assistance from CBPO Aaron Meza. Prior to the interview, SA Kicklighter read BARRON her Miranda Rights from a pre-printed HSI form. After acknowledging her rights and agreeing to waive them both orally and in writing, BARRON made the following statements, which have been paraphrased and may not necessarily be in the order in which she gave them:

BARRON met an individual known to her as Junior, aka Armando LNU, approximately 3 months ago. Sometime between then and November 2014, Junior propositioned BARRON to work for him as a driver for narcotics loads. Junior procured the Honda Accord and placed the registration in BARRON's name after obtaining a copy of her Driver's License. This particular event was the 3<sup>rd</sup> trip that BARRON had made at Junior's direction. The first two trips took place during the month of November, but BARRON couldn't recall the exact dates.

On December 5, 2014, BARRON was advised by Junior to take the vehicle to Mexico. As was the case in the previous two trips, BARRON parked the vehicle at Las Americas Casino where it was later picked up by two unknown Hispanic males, one of whom was very skinny. She was later advised that the vehicle wouldn't be ready soon, so she went back to the U.S. On December 11, 2014, BARRON was advised to travel to Mexico to pick up the vehicle and bring it back to the U.S. BARRON was given a ride to Mexico by one of her friends to take possession of the vehicle. After picking up the vehicle, BARRON traveled to the Hidalgo POE where she was subsequently detained.

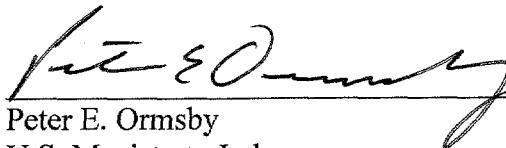
BARRON admitted to receiving approximately \$3,000 per trip. On the previous two successful trips, BARRON met with two unknown males (Ums) at the HEB at the intersection of Ware

Road and FM 495. The UMs departed with the vehicle and later returned with it. BARRON was aware that she was transporting narcotics on all three occasions. BARRON didn't know what type of narcotic it was, and she never asked because she didn't want to know.

At approximately 12:28 hours on December 12, 2014, Assistant U.S. Attorney (AUSA) Jimmy Leo was contacted and advised of the aforementioned facts. AUSA Leo subsequently accepted federal prosecution on BARRON.

Sworn before me and subscribed in my presence on this day of December 12, 2014.

  
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J. Shaun Kicklighter  
Homeland Security Investigations Special Agent

  
\_\_\_\_\_  
Peter E. Ormsby  
U.S. Magistrate Judge